**MAPE/DOC Meet and Confer**

**December 9, 2020**

**via Microsoft Teams**

**Present for DOC**

Commissioner Paul Schnell

AC Marcus Schmit

DC Michelle Smith

Teri Hable

Jackie Sovick Lonne

**Present for MAPE**

Seal Dwyer

Angela Halseth

Andrea Long

Dori Maddox

Rebecca Ramsey

Kevin Nelson

Jessica Raptis

Lois Tucke

Nic Frey

Debbie Prokopf

This meeting was scheduled in response to MAPE’s request for further discussion around the issue of telework for facilities staff.

MAPE stated that it is asking that employees be allowed to telework in five situations:

* Where an employee has a documented medical vulnerability to COVID-19;
* Where there is an outbreak in a facility;
* Where staff are on COVID-19 leave but well enough to work from home;
* Where staff are isolated at the worksite (they’ve come into contact with someone who has tested positive but have not yet tested positive themselves); and
* Where rotational telework plans can be worked out among staff and supervisors.

MAPE representatives explained how telework options can lead to better service for incarcerated individuals when some duties can be completed remotely. Employees who must be at home can help relieve some of the workload on staff inside the facilities.

Commissioner Schnell asked MAPE for input on the right way to fix this concern and balance the needs of the facilities with the desire for more telework.

MAPE responded with an example of rotational telework that was done at Lino Lakes this past spring. It wasn’t a perfect system, but it was workable. MAPE emphasized that this request stems from employees’ desire to do a good job and keep the facility operating as safely as possible.

Commissioner Schnell stated that he understands the benefits of rotational telework but does not believe that it reduces exposure risk. Commissioner Schnell emphasized the need for consistency in such a policy. Inconsistency creates challenges. In addition, having staff telework would require waiving contact time requirements in the Corrections Employee Retirement Plan (CERP). Commissioner Schnell stated that other bargaining units have complained about staff teleworking and the additional burden it has place on their members to ensure the needs of those incarcerated are met.

MAPE stated that this whole proposal is contingent on business needs being met at the facilities.

In response to Commissioner Schnell’s question, AC Schmit replied that DOC made the shift back to all staff reporting to work inside the facilities due to the pressures felt at facilities by employees covering tasks for those teleworking.

DC Smith stated that making individual decisions for telework led to a lot of pressure for all-or-nothing approvals. There was inconsistency among supervisors, and the facility needs were ever-changing.

MAPE stated that its proposals included some situations where DOC could allow telework without a complicated analysis. For example, where staff are required to be out of the facility because they are COVID-positive but asymptomatic and capable of working, they could telework to help relieve the pressures inside the facility.

Teri Hable stated that the inconsistency in prior application of telework options led to a lot of people complaining and raising concerns. Interactive conversations have occurred between HR and staff about reasonable accommodations. The business need is considered when determining the DOC’s ability to accommodate.

MAPE noted that teleworking has been working well in Field Services, where staff also need to provide direct service to those under supervision.

Commissioner Schnell stated that Field Services’ work is different. Agents have more control over their interactions. And their work doesn’t require other staff to cover their caseloads.

MAPE asked if the agency’s position is that it does not allow telework because there is no way to do it fairly.

Commissioner Schnell said yes, and he needs to know from MAPE how to address the fairness issue. He acknowledged that with telework, some of the work gets done, and that’s better than nothing, but it comes at a cost. AFSCME has raised concerns about this.

MAPE stated that some of its requests are black-and-white. For example, telework should be permitted where a staff person is isolated inside the facility while awaiting test results.

Commissioner Schnell stated that we can talk about the isolation situation. That could be doable. He will look into it. Business needs of the facility must be taken into consideration.

MAPE asked whether DOC could look into these requests and respond by December 23.

Commissioner Schnell stated that DOC needs MAPE to say what the fix is. DOC has to respond to other groups as well.

AC Schmit stated that, when telework was allowed briefly last summer, it felt like an all-or-nothing thing. Everyone was comparing themselves to everyone else. AC Schmit agrees that DOC can’t have everyone teleworking at the same time.

MAPE stated that a clear, consistent directive or policy from the top could have helped avoid some of that feeling of unfairness among staff. Instead, some divisions (such as behavioral health) had a strict policy of not allowing telework, while others like case management allowed telework in some places but not others. If DOC had stated that it is the policy of DOC to allow telework under certain parameters, consistent with facility needs, there would have been more consistency and less complaining throughout the agency.

Commissioner Schnell acknowledged that DOC could have messaged that better. It could have been different from the beginning. DOC needs help crafting that high-level directive.

MAPE stated that it would provide a draft of a policy and asked Commissioner Schnell if he would meet again before the Christmas holiday to discuss MAPE’s ideas concretely.

Commissioner Schnell stated he would meet with MAPE about its draft.